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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Philmore H. Colburn II
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002

EXAMINER

MITCHELL, KATHERINE W

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 12/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/757,070

Applicant(s)

SEAMAN ET AL

Examiner

Katherine W. Mitchell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/23/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) 25-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 29-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. Claims 1-24 and 29-52 are pending. Claims 25-28 are withdrawn from consideration as drawn to a nonelected invention.

Information Disclosure Statement

2. The information disclosure statement filed 2/5/2001 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein regarding foreign patent JP04247567 has not been considered.

3. Also, foreign patents JP 06096089 and JP06119309 have not been considered, as the provided translation was apparently highlighted prior to submission, and the scanning process rendered the translation unreadable.

Election/Restrictions

4. Applicant's election of Group I, Claims 1-24 and 29-52, in the reply filed on 10/5/2004 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

5. The requirement is still deemed proper and is therefore made FINAL.

6. This application contains claims 25-28 drawn to an invention nonelected with traverse in response filed 10/5/2004. A complete reply to the final rejection

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must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Double Patenting

7. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

8. Claims 1-52 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4, 6-14, 16-24, 29-32, 34-42, and 44-52 of copending Application No. 09/730683. This is a provisional obviousness-type double patenting rejection. The independent

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claims differ in that 09/730683 discloses that the BOM file incorporates marketing cost analysis into said computer network, and the pending application specifies that the cost of items provided by one supply chain entity are compared to costs {from other suppliers of same items} available to manufacturing enterprise, which is an obvious example of a marketing cost analysis and is a practice so well known that everyday language refers to the winning bidder as the "low bidder" as an almost interchangeable fact. Examiner takes Official Notice that bids are well-known to be compared based on their costs relative to other bidders for the same items.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1, 6-10, 29, and 34-38 are rejected under 35 U.S.C. 103(a) as obvious over Harbert "Searching for .COM-ponents" in view of Press Release "DesignWin Upgrade Tackles Key OEM Supply Chain Management Issues", hereafter called DesignWin.

Re claims 1 and 29: Harbert teaches a method of managing a supply chain page 4 paragraph 5-7 and page 5 paragraph 7 – page 8 paragraph 12) within a multi-enterprise environment via a computer network, said multi-enterprise environment including a manufacturing enterprise and at least one

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supply chain entity, comprising reverse auctions where suppliers bid down the price to win contracts online (web sites). Harbert teaches in page 5 paragraph 8 that a contract is put out for a bid (bid request), which has a Bill of Material (BOM), that suppliers bid on the contract on the web (Digital Exchange online trading site page 4 last paragraph, Table on pages 2-4 describing various web trading/exchange sites), a winning bid/contractor is selected (obviously the point of procurement is to select a supplier to provide the parts) and the contract is awarded (generating an award notice). Since a contractor is selected as a "winning" contractor, inevitably the costs of providing said entity are compared to costs available to the manufacturing enterprise, as a winning bid is always at least partially determined by its cost relative to other possible providers. That the process is based on a company's Bill of Materials is specifically noted on page 4, last line of 1st paragraph under "Going for the big bucks" and page 5 paragraphs 7-8; since the BOM is the basis of the process, specific steps obviously relate to processing the BOM. A program running on a computer inherently requires a storage medium for the management code.

However, Harbert does not specifically teach tracking selected activities in a log. DesignWin teaches in paragraphs 1-5 on page 1 an electronic supply chain management system with Bills of Materials bid on in a reverse auction on the internet, with marketing cost analysis features (especially paragraph 4). DesignWin teaches that pricing trends and probable costs can be tracked and analyzed, this inherently the activities are in some type of log or record if they can be analyzed and tracked:

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log¹**log** (lôg, lòg) *noun***4.** A record, as of the performance of a machine or the progress of an undertaking: *a computer log; a trip log.*¹

It would have been obvious to one of ordinary skill in the art, having the teachings of Harbert and DesignWin before him at the time the invention was made, to modify Harbert as taught by DesignWin to include tracking selected activities in a log of DesignWin, in order to track selected data more efficiently and effectively for the buyer. One would have been motivated to make such a combination because lower costs and faster processing would have been obtained, as taught/suggested by DesignWin in page 1 paragraphs 2-4 and Harbert page 5 paragraph 7-8. Examiner notes that DesignWin specifically teaches that "knowing actual cost allows management to make better, more accurate plans which control costs and strengthen sales margins". (page 1, paragraph 4).

Re claims 6 and 34: The method of claims 1 and 29 respectively, wherein said processing said bill of material file includes automatically transmitting notifications to an administrative entity of said manufacturing enterprise via said network. Harbert implicitly teaches automatically transmitting notifications to an administrative entity of said manufacturing enterprise via said network, in that the items are purchased which would require administrative review of some sort. However, DesignWin explicitly teaches that the sourcing system includes notifying commodity managers to secure material in page 1 paragraph 5.

¹ *The American Heritage® Dictionary of the English Language, Third Edition* copyright © 1992 by Houghton Mifflin Company. Electronic version licensed from INSO Corporation;

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Harbert and DesignWin before him at the time the invention was made, to modify Harbert as taught by DesignWin to explicitly include notifying an administrative entity, such as a purchasing agent or commodity mangers, in order to ensure the data was provided to a decision maker with authority for requisitions. One would have been motivated to make such a combination because faster processing would have been obtained, as taught/suggested by DesignWin in page 1 paragraphs 2-4 and Harbert page 5 paragraph 7-8.

Re claims 7 and 35: Applicant has taught that extranets are known networks in the background of the invention:

Further, the Internet and related intranet and extranet technologies offer a relatively low cost of entry, making them practical for use by the largest PC manufacturer as well as the smallest custom-integrated circuit supplier. To alleviate related web-based security issues, companies have created two separate networks: an intranet that connects the internal processes to the applications and data they need and an extranet that connects external processes to the applications and data they need. These companies then add firewalls or security devices to protect against unauthorized access to the internal network and to isolate unauthorized Internet access from the extranet.

It would have been obvious to one of ordinary skill in the art, having the teachings of Harbert and DesignWin before him at the time the invention was made, to modify Harbert as taught by common knowledge in the art to include an

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extranet network, as known in the art as stated in the background of the invention.

Re claims 8 and 36: Analyzing a quote inherently includes comparing the bid to the information in the requisition.

Re claims 9-10 and 37-38: Harbert teaches in page 5 paragraphs 7-8 that OEMs, contract manufacturers, and suppliers utilize the system. Contract manufacturers are by definition suppliers to OEMs, and thus inherently an OEM would consider them a supply chain entity when using the system. However, DesignWin explicitly teaches in page 1 paragraph 6 that OEMs use DesignWin to obtain quotes from contract manufacturers. It would have been obvious to one of ordinary skill in the art, having the teachings of Harbert and DesignWin before him at the time the invention was made, to modify Harbert as taught by DesignWin to explicitly include having contract manufacturers use the system in the role of supply entities to OEMs, in order to ensure the system's customers reflect the supply chain. One would have been motivated to make such a combination because contract manufacturers are the suppliers to OEMs, as taught/suggested by DesignWin in page 1 paragraphs 1-6.

11. Claims 2-5 and 30-33 are rejected under 35 U.S.C. 103(a) as obvious Harbert in view of DesignWin as applied to claim 1 above, and further in view of Johnson et al. USP 5712985.

Re claims 2,5 and 30,33: Harbert in view of DesignWin as applied to claim 1 and 29 respectively above teach all the elements except specifically processing said bill of material file including mapping items contained in said bill

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of material file from said manufacturing enterprise with items provided by external sources, including a database, via said network. While Harbert page 5 paragraph 11 teaches that the components are stored on a database, Harbert is not specific that the database is external (but obviously mapped) to the computer network.

Johnson teaches external databases (40/50) mapped to a requisition and inventory management system (10/20) in col 3 lines 4- col 4 line 44 and Fig. 1. Note that Johnson col 5 lines 7-20 specifically teach that host database 20 on host computer 10 and local database 50 on local computer 40 are modified/updated in the same manner, using distributed transaction processing to insure that the data in respective databases are in agreement prior to execution of any transaction in the system. Agreement is only required if items in both databases are mapped in some way. Col 10 line 39 – col 11 line 8 detail that local computer 40 and local database 50 have data shared with the host computer 10 (col 10 lines 55-63), and specific data communication is again taught in col 9 lines 58-65 and col 12 lines 17-67 and Figs 2A and 2B.

Although examiner considers that Johnson's local database 50 and host database 20 include an external source including a database of a manufacturing enterprise, examiner notes that It has been held that to be entitled to weight in method claims, the recited structure limitations therein must affect the method in a manipulative sense, and not to amount to the mere claiming of a use of a particular structure. *Ex parte Pfeiffer*, 1962 C.D. 408 (1961), and thus the type of external source is not considered a patentable distinction.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Harbert in view of DesignWin and Johnson before him at the time the invention was made, to modify Harbert in view of DesignWin as taught by Johnson to include external sources of materials and parts that can map to the procurement system, in order to have parts information available locally "in-house" for technical information, inventory, and other standard manufacturing tasks, or even suppliers databases to manufacturer, while allowing it to be mapped to the requisition system to avoid duplication of efforts and ensure that the systems agree. One would have been motivated to make such a combination because lower costs and faster processing would have been obtained, as taught/suggested by Johnson col 1 lines 24-50, and Johnson teaches in col 1 lines that both the customer and supplier (local and host) need access to real time data to manage Just in Time inventory, a widely used and cost-effective inventory management system.

Re claims 3-4 and 31-32: Johnson teaches in Fig 3 that items contained in said bill of material file, and inherently in the external source since they are mapped, include: at least one component number; at least one component name; at least one component description; at least one component price; and at least one component availability. It would have been obvious to one of ordinary skill in the art, having the teachings of Harbert in view of DesignWin and Johnson before him at the time the invention was made, to modify Harbert in view of DesignWin as taught by Johnson to include common identifying parameters in the bill of material, in order to ensure that the material was the part, cost and availability

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desired. One would have been motivated to make such a combination because the quotes must be based on the same items to be accurately compared and costed.

12. Claims 11-24 and 39-52 are rejected under 35 U.S.C. 103(a) as obvious over Harbert in view of DesignWin and further in view of Johnson et al. USP 5712985.

Re claims 11, 39, and 21-24, 49-52: Harbert teaches a method of managing a supply chain page 4 paragraph 5-7 and page 5 paragraph 7 – page 8 paragraph 12) within a multi-enterprise environment via a computer network, said multi-enterprise environment including a manufacturing enterprise and at least one supply chain entity, comprising reverse auctions where suppliers bid down the price to win contracts online (web sites). Harbert teaches in page 5 paragraph 8 that a contract is put out for a bid (bid request), which has a Bill of Material (BOM), that suppliers bid on the contract on the web (Digital Exchange online trading site page 4 last paragraph, Table on pages 2-4 describing various web trading/exchange sites), a winning bid/contractor is selected (obviously the point of procurement is to select a supplier to provide the parts) and the contract is awarded (generating an award notice). Since a contractor is selected as a “winning” contractor, inevitably the costs of providing items to said entity are compared to costs available to the manufacturing enterprise, as a winning bid is always at least partially determined by its cost relative to other possible providers. That the process is based on a company’s Bill of Materials is specifically noted on page 4, last line of 1st paragraph under “Going for the big

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bucks” and page 5 paragraphs 7-8; since the BOM is the basis of the process, specific steps obviously relate to processing the BOM. A program running on a computer inherently requires a storage medium for the management code.

However, Harbert does not specifically teach tracking selected activities in a log; and Harbert does not address associating business attributes with physical attributes of the components in the BOM.

DesignWin teaches in paragraphs 1-5 on page 1 an electronic supply chain management system with Bills of Materials bid on in a reverse auction on the internet. DesignWin teaches that pricing trends and probable costs can be tracked and analyzed, thus inherently the activities are in some type of log or record if they can be analyzed and tracked:

log¹

log (lôg, lòg) *noun*

4. A record, as of the performance of a machine or the progress of an undertaking: *a computer log; a trip log.*²

Johnson teaches external databases (40/50) mapped to a requisition and inventory management system (10/20) in col 3 lines 4- col 4 line 44 and Fig. 1. Note that Johnson col 5 lines 7-20 specifically teach that host database 20 on host computer 10 and local database 50 on local computer 40 are modified/updated in the same manner, using distributed transaction processing to insure that the data in respective databases are in agreement prior to execution of any transaction in the system. Col 10 line 39 – col 11 line 8 detail that local computer 40 and local database 50 have data shared with the host

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computer 10 (col 10 lines 55-63), and specific data communication/mapping is again taught in col 9 lines 58-65 and col 12 lines 17-67 and Figs 2A and 2B.

Johnson teaches in Fig 3 that items contained in said bill of material file, and inherently in the external source since they are mapped, include physical attributes including stock number, quantity, etc associated with business attributes including price (steps 208,209,210,211). Stock numbers are considered physical attributes of component parts in a BOM, especially considering that stock numbers are usually designed to reflect color, material (brass, stainless, etc.).

Johnson teaches in col 3 lines 10-37, col 11 lines 26-32, col 12 lines 38-52, and col 14 lines 48-67 that pricing algorithms are associated with component physical attributes such as stock number. Col 11 lines 29-30 state "pricing is also performed in this step... (sourcing)...performed on both local computer and host computer. Note that Johnson teaches "any suitable conventional algorithm may be employed...for sourcing and pricing items. Examiner takes official notice that price masking, component consignment, direct rebates, and a buy off contract are conventional pricing schemes well known in the art, and thus it would be obvious to include such schemes when conducting e-commerce supply chain management.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Harbert and DesignWin and Johnson before him at the time the invention was made, to modify Harbert as taught by DesignWin to

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include and activity tracking of activities in a log of DesignWin, in order to obtain data to track costs and make the quoting process more efficient and effective for the buyer, and to further modify Harbert as taught by Johnson to include associating pricing schemes with component physical attributes in order to maintain existing price strategies.

One would have been motivated to make such a combination because lower costs and faster processing would have been obtained, as taught/suggested by DesignWin in page 1 paragraphs 2-4 and Harbert page 5 paragraph 7-8. Examiner notes that DesignWin specifically teaches that "knowing actual cost allows management to make better, more accurate plans which control costs and strengthen sales margins".(page 1, paragraph 4), and thus marketing costs, part of the actual costs, would be important to include in the analysis and tracking process. One would be motivated to maintain negotiated competitive or beneficial pricing schemes, as taught by Johnson in col 14 lines 58-67 and pricing based upon physical attributes is well known, as, for example, stainless steel items cost more than aluminum items and this would need to be reflected in any pricing strategy.

Re claims 12,15, and 40,43: Harbert in view of DesignWin and Johnson as applied to claims 11 and 39 respectively above teach all the elements except specifically processing said bill of material file including mapping items contained in said bill of material file from said manufacturing enterprise with items provided by external sources via said network. While Harbert page 5 paragraph 11

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teaches that the components are stored on a database, Harbert is not specific that the database is external (but obviously mapped) to the computer network.

Johnson teaches external sources (databases 40/50) mapped to a requisition and inventory management system (10/20) in col 3 lines 4- col 4 line 44 and Fig. 1. Although examiner considers that Johnson's local database 50 and host database 20 include an external source including a database of a manufacturing enterprise, examiner notes that It has been held that to be entitled to weight in method claims, the recited structure limitations therein must affect the method in a manipulative sense, and not to amount to the mere claiming of a use of a particular structure. *Ex parte Pfeiffer*, 1962 C.D. 408 (1961), and thus the type of external source is not considered a patentable distinction.

It would have been obvious to one of ordinary skill in the art, having the teachings of Harbert in view of DesignWin and Johnson before him at the time the invention was made, to modify Harbert in view of DesignWin as further taught by Johnson to include external sources of materials and parts that can map to the procurement system, in order to have parts information available locally "in-house" for technical information, inventory, and other standard manufacturing tasks, or even map suppliers databases to manufacturer, while allowing it to be mapped to the requisition system to avoid duplication of efforts and ensure that the systems agree. One would have been motivated to make such a combination because lower costs and faster processing would have been obtained, as taught/suggested by Johnson col 1 lines 24-50.

Re claims 13-14 and 41-42: Johnson teaches in Fig 3 that items contained in said bill of material file, and inherently in the external source since they are mapped, include: at least one component number; at least one component name; at least one component description; at least one component price; and at least one component availability. It would have been obvious to one of ordinary skill in the art, having the teachings of Harbert in view of DesignWin and Johnson before him at the time the invention was made, to modify Harbert in view of DesignWin to include common identifying parameters in the bill of material as taught by Johnson, in order to ensure that the material was the part, cost and availability desired. One would have been motivated to make such a combination because the quotes must be based on the same items to be accurately compared and costed.

Re claims 16 and 44: The method of claim 11 and 39 respectively, wherein said processing said bill of material file includes automatically transmitting notifications to an administrative entity of said manufacturing enterprise via said network. The limitations have been addressed above when discussing claims 11 and 39, except the further limitation of automatically transmitting notifications to an administrative entity of said manufacturing enterprise via said network. Harbert implicitly teaches automatically transmitting notifications to an administrative entity of said manufacturing enterprise via said network, in that the items are purchased which would require administrative review of some sort. However, DesignWin explicitly teaches that the sourcing system includes notifying commodity managers to secure material in page 1

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paragraph 5. It would have been obvious to one of ordinary skill in the art, having the teachings of Harbert in view of DesignWin and Johnson before him at the time the invention was made, to further modify Harbert as taught by DesignWin to explicitly include notifying an administrative entity, such as a purchasing agent or commodity managers, in order to ensure the data was provided to a decision maker with authority for requisitions. One would have been motivated to make such a combination because faster processing would have been obtained, as taught/suggested by DesignWin in page 1 paragraphs 2-4 and Harbert page 5 paragraph 7-8.

Re claims 17 and 45: Applicant has taught that extranets are known networks in the background of the invention:

Further, the Internet and related intranet and extranet technologies offer a relatively low cost of entry, making them practical for use by the largest PC manufacturer as well as the smallest custom-integrated circuit supplier. To alleviate related web-based security issues, companies have created two separate networks: an intranet that connects the internal processes to the applications and data they need and an extranet that connects external processes to the applications and data they need. These companies then add firewalls or security devices to protect against unauthorized access to the internal network and to isolate unauthorized Internet access from the extranet.

It would have been obvious to one of ordinary skill in the art, having the teachings of Harbert and DesignWin and Johnson before him at the time the invention was made, to further modify Harbert as taught by common knowledge

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in the art to include an extranet network, as known in the art as stated in the background of the invention.

Re claims 18 and 46: Analyzing a quote inherently includes comparing the bid to the information in the requisition.

Re claims 19-20 and 47-48: The limitations have been addressed above when discussing claims 11 and 39, except the further limitation of OEMs, contract manufacturers, and suppliers utilizing the system. Harbert teaches in page 5 paragraph 7-8 that OEMs, contract manufacturers, and suppliers utilize the system. Contract manufacturers are by definition suppliers to OEMs, and thus inherently an OEM would consider them a supply chain entity when using the system. However, DesignWin explicitly teaches in page 1 paragraph 6 that OEMs use DesignWin to obtain quotes from contract manufacturers. It would have been obvious to one of ordinary skill in the art, having the teachings of Harbert in view of Johnson and DesignWin before him at the time the invention was made, to further modify Harbert as taught by DesignWin to explicitly include having contract manufacturers use the system in the role of supply entities to OEMs, in order to ensure the system's customers reflect the supply chain. One would have been motivated to make such a combination because contract manufacturers are the suppliers to OEMs, as taught/suggested by DesignWin in page 1 paragraphs 1-6.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

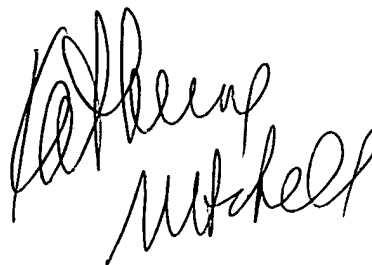
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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine W Mitchell whose telephone number is 703-305-6713. The examiner can normally be reached on Mon - Thurs 10 AM - 8 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kwm
12/13/2004

A handwritten signature in black ink, appearing to read "Katherine W Mitchell", is written over the typed name.